

Members

Sen. Michael Young, Chairperson
Sen. Joseph Zakas
Sen. Richard Young
Sen. Lindel Hume
Rep. Scott Pelath
Rep. Dennie Oxley
Rep. Phil Hinkle
Rep. Michael Murphy



ADMINISTRATIVE RULES OVERSIGHT COMMITTEE

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MEETING MINUTES¹

Meeting Date: September 23, 2008
Meeting Time: 1:00 P.M.
Meeting Place: State House, 200 W. Washington
St., Room 431
Meeting City: Indianapolis, Indiana
Meeting Number: 1

Members Present: Sen. Michael Young, Chairperson; Sen. Joseph Zakas; Rep. Phil Hinkle.

Members Absent: Sen. Richard Young; Sen. Lindel Hume; Rep. Scott Pelath; Rep. Dennie Oxley; Rep. Michael Murphy.

Senator R. Michael Young, Chairman of the Committee, called the meeting to order at 1:15 p.m. Chairman Young¹ announced that the meeting had been convened to allow the Committee to consider two issues: (1) whether all commissions created solely to review state agency decisions can be replaced with an "office of appeal" staffed by administrative law judges; and (2) whether the Committee should further consider a complaint received about a rule adopted by the Natural Resources Commission (Commission) concerning the hunting of coyotes.

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.in.gov/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

¹In these minutes, Senator R. Michael Young will be referred to as "Chairman Young," and Senator Richard Young will be referred to as "Senator Young."

Chairman Young indicated that both issues had been brought before the Committee at the behest of Senator Richard Young. The Legislative Council had assigned the topic of the creation of an office of appeal to the Committee upon Senator Young's request,² and one of Senator Young's constituents had filed the complaint about the Commission's rule concerning the hunting of coyotes.³ However, with Senator Young not present at the meeting, Chairman Young suggested that the Committee should reschedule the meeting to allow Senator Young to attend and provide more information concerning both issues.

After a brief discussion among the Committee members present, it was determined that the meeting should be rescheduled. Members also agreed that the Committee should indeed consider the complaint received about the Commission's rule concerning coyotes. Accordingly, Chairman Young instructed staff to inform both the complainant and the Commission of the next meeting and to invite both parties to appear and testify.

Committee members agreed to reconvene on October 13, 2008, at 10:30 a.m. to consider the two issues on the current meeting's agenda. They further agreed to meet again on October 17, 2008, at 10:00 a.m. to consider and vote on a final report concerning the Committee's recommendations, if any, on each of the issues.

There being no further business, Chairman Young adjourned the meeting at 1:35 p.m.

²Legislative Council Resolution 08-01 (2008).

³The complaint, filed by Gordon Ingle of Corydon, alleges that the Commission exceeded its statutory authority in amending 312 IAC 9-3-12(d) concerning the taking of a coyote on land by the person who possesses the land (or by another person designated in writing by the person who possesses the land).